

ASSISTANT COMMISSIONER FOR PATENTS  
Washington, DC 20231In re application of:  
Serial No.:  
Filed:  
For:Mark SANDERS et al.  
10/009,956  
April 12, 2002**MEDICAMENTS FOR TREATING RESPIRATORY DISORDERS COMPRISING  
FORMOTEROL AND FLUTICASONE**

Sir:

Transmitted herewith is an **Information Disclosure Statement** in the above-identified application.

- ☐ Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.  
☐ Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.  
☐ No fee for additional claims is required.  
☐ A filing fee for additional claims calculated as shown below, is required:

FOR:	(Col. 1)	(Col. 2)		SMALL ENTITY		OR	LARGE ENTITY	
	REMAINING	HIGHEST		RATE	FEE		RATE	FEE
	AFTER	PREVIOUSLY	PRESENT					
	AMENDMENT	PAID FOR	EXTRA					
TOTAL CLAIMS	* Minus**	=	0	x \$	9		x \$	18
INDEP. CLAIMS	* Minus***	=	0	x \$	40		x \$	80
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+	\$135		+	\$270

TOTAL: \$ OR TOTAL: \$

- \* If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
 \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.  
 \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

- ☒ Also transmitted herewith are:  
☐ Petition for extension under 37 C.F.R. 1.136 (in duplicate)  
☒ Other: **-Form PTO-1449 with cited references**
- ☐ Check(s) in the amount of \$0.00 is/are attached to cover:  
☐ Filing fee for additional claims under 37 C.F.R. 1.16  
☐ Petition fee for extension under 37 C.F.R. 1.136  
☐ Other:
- ☒ The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
- ☒ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
- ☒ Any patent application processing fees under 37 C.F.R. 1.17.
- ☒ Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

  
 Clifford M. Davidson, Reg. No. 32,728  
 DAVIDSON, DAVIDSON & KAPPEL, LLC  
 485 Seventh Avenue, 14<sup>th</sup> Floor  
 New York, New York 10018  
 Tel: (212) 736-1940  
 Fax: (212) 736-2427

I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" in an envelope addressed to "Assistant Commissioner for Patents, Washington, D.C. 20231" on November 26, 2002.

DAVIDSON, DAVIDSON &amp; KAPPEL, LLC



**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Examiner: Not yet assigned

Art Unit: 1614

Re: Application of: Mark SANDERS

Serial No.: 10/009,956

Filed: April 12, 2001

For: **MEDICAMENTS FOR TREATING RESPIRATORY  
DISORDERS COMPRISING FORMOTEROL AND  
FLUTICASONE**

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**INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

November 26, 2002

Sir:

In accordance with the provisions of 37 C.F.R. § 1.97, Applicant hereby makes of record the documents listed on the accompanying Form PTO-1449 (5 sheets) for consideration by the Examiner in connection with the examination of the above-identified patent application.

This Information Disclosure Statement is filed under 37 C.F.R. § 1.97 (b), before the mailing date of a first Office Action on the merits, accordingly, no fee is believed due.

The Examiner's attention is directed to reference AO (WO 00/48587), with attached International Search Report.


It is respectfully requested that the references cited in the accompanying Form PTO-1449 be considered and made of record. If any of the publications listed thereon are missing, the Examiner is requested to contact the undersigned so that a copy can be promptly forwarded.

301.1003

If it is determined that any additional fees are due or that any fee has been overpaid, the Commissioner for Patents is hereby authorized to charge said fee or credit any overpayment to Deposit Account No. 50-0552.

Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

By   
Clifford M. Davidson  
Reg. No. 32,728

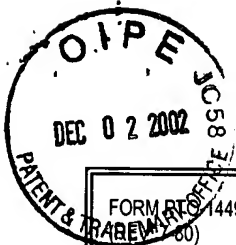
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Davidson, Davidson & Kappel, LLC  
485 Seventh Avenue, 14<sup>th</sup> Floor  
New York, New York 10018  
(212)736-1940



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Sheet 1 of 5

FORM PTO (REV 7-2001) PATENT & TRADEMARK OFFICE										U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO.: 301.1003		SERIAL NO.: 10/009,956			
LIST OF PRIOR ART CITED BY APPLICANT  (Use several sheets if necessary)										APPLICANT(S): Mark SANDERS				FILING DATE: April 12, 2002		GROUP: 1614	
										U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE				
	AA	5	7	0	9	8	8	4	01/20/1998	Trofast, et al.	424	489					
	AB	5	8	7	3	3	5	9	02/23/1999	Zapol, et al.	128	203.12					
	AC	5	2	7	0	3	0	5	12/14/93	Palmer	514	171					
	AD	6	0	3	0	6	0	4	02/29/00	Trofast	424	46					
	AE	5	6	7	4	8	6	0	10/07/97	Carling et al.	514	171					
	AF	5	9	7	2	9	1	9	10/26/99	Carling et al.	514	171					
	AG	5	8	3	0	4	3	6	11/03/98	Ghio et al.	424	45					
FOREIGN PATENT DOCUMENTS																	
		DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION				
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	AH	1	0	8	6	6	9	7	03/28/01	EP (A2)	A1K	31/57					
	AI	0	5	3	4	7	3	1	03/31/1993	EP (A1)	A61K	9/00					
	AJ	0	9	3	8	9	0	7	01/09/1999	EP (A1)	A61M	15/00					
	AK	0	9	3	8	9	0	7	01/09/1999	EP (B1)	A61M	15/00					
	AL	9	8	3	0	2	6	2	07/16/1998	WO	A61M	15/00					
	AM	0	4	1	6	9	5	1	03/13/91	EP (A1)	A61K	31/57					
	AN	0	4	1	6	9	5	1	03/13/91	EP (B1)	A61K	31/57					
	AO	0	0	4	8	5	8	7	08/24/00	WO	A61K	31/135					
	AP	0	9	7	9	6	6	1	02/16/2000	EP	A61M	15/00					
OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)																	
	AQ																
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EXAMINER										DATE CONSIDERED							
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.																	



Sheet 2 of 5

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(Rev. 1-80)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.: 301.1003

SERIAL NO.: 10/009,986

## LIST OF PRIOR ART CITED BY APPLICANT

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APPLICANT(S): Mark SANDERS

FILING DATE: April 12, 2002

GROUP: 1614

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	BA	5	8	4	0	2	7	7	11/24/98	Ghio et al.	424	45	
	BB	5	3	9	9	3	6	3	03/21/95	Liversidge et al.	424	490	
	BC	5	1	4	5	6	8	4	09/08/92	Liversidge et al.	424	489	
	BD	5	9	1	6	5	4	0	06/29/99	Akehurst et al.	424	45	
	BE	6	0	5	4	4	8	8	04/25/00	Oliver et al.	514	646	
	BF	6	0	0	4	5	3	7	12/21/99	Blondino et al.	424	45	
	BG	5	5	1	2	2	7	0	04/30/96	Ghio et al.	424	45	

## FOREIGN PATENT DOCUMENTS

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	BH	9	6	1	9	9	6	8	07/04/1996	WO	A61K	9/00		
	BI	9	5	0	5	8	0	5	03/02/1995	WO	A61K	9/14		
	BJ	9	8	4	1	1	9	3	09/24/1998	WO	A61K	9/16		
	BK	0	1	7	8	7	3	5	10/25/2001	WO	A61K	31/565		
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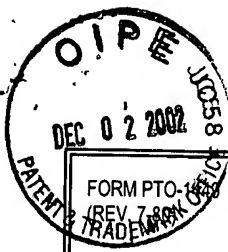
## OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

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FORM PTO-1423  
(REV. 7-8-99)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.: 301.1003

SERIAL NO.: 10/000,956

## LIST OF PRIOR ART CITED BY APPLICANT

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APPLICANT(S): Mark SANDERS

FILING DATE: April 12, 2002

GROUP: 1614

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	CA	6	1	3	6	2	9	4	10/24/00	Adjei et al.	424	45	
	CB	6	2	2	1	3	9	8	04/24/01	Jakupovic et al.	424	489	
	CC	6	3	2	5	0	6	1	12/04/01	Dagsland	128	203.15	
	CD	5	4	3	4	3	0	4	07/18/95	Trofast et al.	564	221	
	CE	5	7	4	0	7	9	3	04/21/98	Hodson et al.	128	203.15	
	CF	5	4	7	4	7	6	0	12/12/95	Ghio et al.	424	45	
	CG												

## FOREIGN PATENT DOCUMENTS

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	CH													
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	CJ													
	CK													
	CL													

## OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	CM	
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FORM PTO-1049

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ATTY. DOCKET NO.: 301.1003

SERIAL NO.: 10/009,806

## LIST OF PRIOR ART CITED BY APPLICANT

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APPLICANT(S): Mark SANDERS

FILING DATE: April 12, 2002

GROUP: 1614

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	DA	6	1	5	0	4	1	8	11/21/00	Hochrainer et al.	514	630	
	DB	6	1	6	1	5	3	7	12/19/00	Gravenstein et al.	128	200.26	
	DC	5	9	8	3	9	5	6	11/16/99	Trofast	141	1	
	DD	5	8	7	4	0	6	3	02/23/99	Briggner et al.	424	45	
	DE	5	8	1	7	2	9	3	10/06/98	Akehurst et al.	424	45	
	DF	5	7	3	6	1	2	4	04/07/98	Akehurst et al.	424	45	

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	DG	0	1	3	9	8	2	3	06/07/2001	WO	A61M	15/00		
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	DI	0	0	3	5	4	4	1	06/22/2000	WO	A61K	31/165		
	DJ	0	0	5	1	5	9	1	09/08/2000	WO	A61K	31/135		
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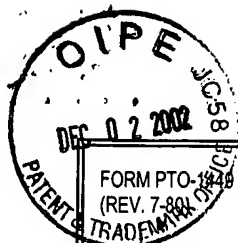
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FORM PTO-1248  
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SERIAL NO.: 10/009,956

## LIST OF PRIOR ART CITED BY APPLICANT

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APPLICANT(S): Mark SANDERS

FILING DATE: April 12, 2002

GROUP: 1614

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	EA	5	7	4	4	1	2	3	04/28/98	Akehurst et al.	424	45	
	EB	5	6	3	7	6	2	0	06/10/97	Trofast et al.	564	630	
	EC	5	6	8	4	1	9	9	11/04/97	Francotte	564	216	
	ED	6	2	8	7	5	4	0	09/11/01	Trofast	424	46	
	EE	6	0	2	4	9	4	0	02/15/00	Ghio et al.	424	45	
	EF	6	0	4	5	8	2	8	04/04/00	Byström et al.	424	489	

## FOREIGN PATENT DOCUMENTS

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	EG	9	9	0	0	1	3	4	01/07/1999	WO	A61K	31/57		
	EH	9	5	1	8	0	9	4	07/06/1995	WO	C07C	231/20		
	EI	9	3	1	1	7	7	3	06/24/1993	WO	A61K	31/57		
	EJ	9	9	3	0	7	0	3	06/24/1999	WO	A61K	31/165		
	EK	9	8	3	1	3	5	1	07/23/1998	WO	A61K	9/72		
	EL	9	8	2	1	1	7	5	05/22/1998	WO	C07C	231/18		
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	EO													
	EP													

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